

# **EXHIBIT B**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
Northern Division

3 WILLIAM R. CARROLL, et al.

4 | Plaintiffs

5 | vs. CIVIL ACTION NO:  
| MJG-02-CV-2084

6 BENJAMIN J. MARTIN, et al.

## 7 | Defendants

9                         The deposition of RAYMOND CURTIS was  
10                         held on Wednesday, January 8, 2003, commencing at  
11                         2:50 P.M., at the Offices of Execusuites, Inc.,  
12                         15200 Shady Grove Road, Suite 350, Rockville,  
13                         Maryland, 20850, before Susan M. Liebrecht, a Notary  
14                         Public.

16 APPEARANCES:

17 HENRY L. BELSKY, ESQUIRE  
On behalf of Plaintiffs

19 MICHAEL B. MANN, ESQUIRE  
On behalf of Defendants

21 REPORTED BY: Susan M. Liebrecht

1 STIPULATIONS

2 It is stipulated and agreed by and  
3 between counsel for the respective parties that  
4 the reading and signing of this deposition by the  
5 witness be and the same are hereby waived.

6 It is further stipulated and agreed  
7 that the filing of this deposition with the Clerk  
8 of Court be and the same is hereby waived.

9 - - - - -

10 Whereupon,

11 RAYMOND CURTIS,  
12 called as a witness, having been first duly sworn to  
13 tell the truth, the whole truth, and nothing but the  
14 truth, was examined and testified as follows:

15 EXAMINATION BY MR. MANN:

16 Q Would you state your name and address  
17 for the record?

18 A Raymond J. Curtis, 5176 Almeria Court,  
19 Mount Airy, Maryland, 21771.

20 Q Mr. Curtis, what is your date of birth?

21 A 11/25/1946.

1 Q Are you employed at this time?

2 A Yes, I am.

3 Q Where are you employed?

4 A Lockheed Martin, Air Traffic Management.

5 Q Where is that located?

6 A 9201 Corporate Boulevard. And that's in  
7 Rockville, Maryland.

8 Q In Rockville?

9 A Yes.

10 Q What do you do for them?

11 A I'm Quality Assurance manager.

12 Q How long have you been employed by  
13 Lockheed?

14 A 35 years.

15 Q I'm here to ask you some questions about  
16 an automobile accident which occurred on January 16,  
17 2001 on Route 27.

18 Were you in the area at the time of that  
19 accident?

20 A Yes, I was. Yes.

21 Q Let me ask you, first of all, do you

1 know Benjamin Martin?

2 A No, I don't.

3 Q Do you know William Carroll?

4 A No.

5 Q And if I tell you that those were the  
6 persons involved in the accident, you don't -- you  
7 did not know the persons involved in the accident  
8 prior to the accident?

9 A No. No, I did not.

10 Q Okay. Were you on Route 27 that  
11 morning?

12 A Yes.

13 Q About what time of day did the accident  
14 occur?

15 A Around between 6, 6:30. I usually get  
16 in to work here at 7:00, it's not too far from here.  
17 So, I usually travel that area around, in between  
18 6 or 7.

19 Q Okay.

20 A So, it was about, probably, 6:30.

21 Q 6:30 A.M.?

1 A Yes.

2 Q How did you come to be in the area of  
3 the accident?

4 A I was immediately following the truck.  
5 There was a big white cube van right in front of me  
6 and I followed him down from the center of Damascus.  
7 At least that's where I first recognized I was  
8 behind him and then followed him down to where the  
9 accident was.

10 Q Okay. And as I understand it, you were  
11 both travelling on Route 27 at the time of the  
12 accident?

13 A Yes.

14 Q Do you know what direction you were  
15 going?

16 A We were heading south. I was coming  
17 into work.

18 Q Okay. Going south on Route 27, how many  
19 lanes are there? Travel lanes southbound?

20 A One southbound.

21 Q Is there a northbound lane?

1 A Yes, there is.

2 Q Is that one, also?

3 A Yes.

4 Q In addition to the one travel southbound  
5 lane, is there a shoulder on the side of the road?

6 A Yes, there is.

7 Q In the area where the accident occurred,  
8 do you know approximately how wide the shoulder is?

9 A I'm guessing around eight to ten feet  
10 wide. It's a wide shoulder.

11 Q To your best knowledge, did the accident  
12 happen at an intersection or was it between  
13 intersecting streets?

14 A There was no intersecting streets near  
15 or close by.

16 Q Do you know the last street that you  
17 passed before you get to the where the accident  
18 occurred?

19 A The last southbound street that I can  
20 recall is probably half a mile to three quarters of  
21 a mile away from that.

1 Q Do you know the name of it?

2 A No, I don't. I don't recall the name of  
3 it.

4 Q Do you travel this route often?

5 A Everyday.

6 Q Everyday?

7 A Everyday on my way to work, yes.

8 Q On this morning at about 6:30 A.M. how  
9 was the traffic?

10 A Normal rush hour morning traffic. It  
11 was bumper to bumper all the way down.

12 Q You said that you were following the  
13 truck being driven by Mr. Martin, the Lamtech truck?

14 A The white cube van, yes.

15 Q The white cube van you called it?

16 A Yes.

17 Q Were there any vehicles between you and  
18 the truck?

19 A No, I was immediately behind the truck.

20 Q How long had you been the vehicle  
21 immediately behind the truck?

1 A Since, at least, the center of Damascus.  
2 I come down 27 and then Route 108 intersects and  
3 then somewhere at that traffic light is where that  
4 truck ended up right in front of me.

5 Q About how far is that in distance?

6 A I'd say six or seven miles.

7 MR. MANN: Okay. Let's have this marked  
8 as Deposition Exhibit Number 1.

9 (Curtis Deposition Exhibit Number 1 was  
10 marked for purposes of identification.)

11 Q Let me show you a photograph of a  
12 vehicle that's been marked as Deposition Exhibit  
13 Number 1.

14 Is the vehicle shown in that photograph,  
15 is that the same or similar to the vehicle you were  
16 following? I know it only shows the front part of  
17 the vehicle.

18 A It looks like it. I'm more familiar  
19 with the back, but yes, this looks like the vehicle.

20 Q All right. What's the speed limit in  
21 the area where the accident occurred?

1 A I believe it's 40 miles an hour.

2 Q Okay. How fast was the truck going that  
3 you were following?

4 A Exactly 40 miles an hour.

5 Q Okay. How do you know that?

6 A Rush hour traffic normally travelled a  
7 little bit faster through there. And that morning,  
8 it was exactly 40 miles an hour. It was almost a  
9 frustration because I usually travel a little bit  
10 faster than that, just going with the flow of  
11 traffic. And it was kind of one of those things  
12 where, come on, get moving, get moving. It was  
13 exactly 40.

14 Q So, it was a little slower than you were  
15 used to?

16 A Little slower than normal, yes.

17 Q Okay. Tell me what you observed as you  
18 followed the truck immediately in the area where the  
19 accident occurred?

20 A Well, what I saw was just the back of --  
21 it was a white cube van, like looking at the back of

1 a drive-in movie theater screen, just a white wall  
2 in front of me. And as I was driving along, the  
3 next thing I know, I saw an object off to the  
4 right-hand side. And it took me a minute to focus  
5 because it was still relatively dark and I  
6 recognized it as a body and a bicycle tumbling.

7                   And immediately the truck in front of me  
8 put his brakes on and pulled over to the right and I  
9 pulled over right behind him. And then all the  
10 traffic behind us just stopped. And then I noticed  
11 the northbound traffic stopped, too.

12                 Q      This object that you later realized was  
13 a bicycle and a person on it, you said was tumbling.  
14 In what direction?

15                 A      They were headed southbound and they  
16 were going off to the side of the road.

17                 Q      Off to the right?

18                 A      Off away from the shoulder off in the  
19 grassy area.

20                 Q      In a direction to your right, then, I  
21 guess?

1 A Yes.

2 Q Before this happened, before you  
3 observed this object, did you have an opportunity to  
4 observe the truck and whether it was in its lane of  
5 travel?

6 A The truck was in its lane of travel for  
7 the whole trip. I never saw him vary or change  
8 speed or change direction, at all. He was always  
9 right down the center of his lane.

10 Q And, specifically, at the time that you  
11 saw this object, was the truck still in its lane?

12 A Yes, yes. I didn't see it move at all  
13 until the brake lights went on.

14 Q Until after you had seen the object  
15 moving away -- the bicycle and the rider moving away  
16 from it?

17 A That's correct. And then the truck  
18 driver pulled over to the right off the shoulder and  
19 I pulled in behind him.

20 Q Okay. What did you do after the truck  
21 pulled over?

1 A The first thing I did is I looked at the  
2 house numbers on the house that we were right in  
3 front of and I got my cell phone and called or  
4 dialed 911 to call the police or the ambulance and  
5 reported the accident. And they had already said  
6 they had multiple phone calls already.

7 Q Okay. Where were you when you reported  
8 this? Were you still driving down Route 27?

9 A No, no, I was stopped. As soon as that  
10 happened, I got out of my truck, I have a pickup  
11 truck, or SUV, that I was following the white van  
12 in, and I walked around the side of the van to look  
13 at the house numbers so I could give an accurate  
14 address for the police.

15 Q Did you pull your pickup truck over to  
16 the side of the road?

17 A Yes, I did. Right behind the cube van.

18 Q So, you pulled over behind the van,  
19 behind the truck?

20 A Yes, that's correct.

21 Q Okay.

(Curtis Deposition Exhibit Numbers 2-6

were marked for purposes of identification.)

Q Let me first show you what's been marked as Deposition Exhibits Number 2 and 3 and ask you if you recognize the roadway that's shown on that, on those photographs?

A I recognize the roadway and these are patches that were put in after -- sometime after the accident because these were open holes when we went through.

Q We'll get to that in a second,

A Okay.

O Is this Route 27?

A Yes, it is. That's heading south.

Q This is southbound. And these photographs, do they show the area where the accident occurred?

A Yes.

Q        Do they show the area of the shoulder  
where you pulled off after the accident?

1 A Yes.

2 Q And where would that be in relation to  
3 anything that's shown on the photograph?

4 A This sign is right in front of the house  
5 that I got the house number from when I called the  
6 police.

7 Q You're indicating a white sign?

8 A Yes.

9 Q Do you have a ball point pen?

10 MR. BELSKY: Here you go.

11 Q I think we can all see it. What I'd  
12 like you to do on -- how about, let's do it on  
13 Deposition Exhibit Number 2. If you would circle  
14 the white sign where you say you pulled to.

15 A (Witness complies.) That was just  
16 before this sign between the fire hydrant and the  
17 sign where I pulled. Pretty close to the driveway  
18 right here.

19 Q Now, after you stopped and you made the  
20 call to 911, what did you then do?

21 A I walked back just to see the condition

1 of the person and see if there was anything else I  
2 could do. At that time, there were probably 20  
3 people around, were out of their cars, all around  
4 the person.

5 Q When you're talking about the person,  
6 you're talking about the bicycle rider?

7 A Yes.

8 Q Where was the bicycle rider?

9 A Right over in this area passed this  
10 patch. It shows leaves in here, but kind of a  
11 grassy area.

12 Q Why don't we stick with -- well, maybe  
13 we can do it on Deposition Exhibit Number 3, better.

14 If you could put an X approximately  
15 where he was laying after the accident?

16 A (Witness complies.) Right about in  
17 through here.

18 Q Okay. Now, you started to tell us a  
19 moment ago about these areas that are on the  
20 shoulder that appear to be black asphalt that's  
21 different from the regular part of the shoulder?

1 A Right.

2 Q Is that how they looked at the time of  
3 the accident?

4 A No, no.

5 Q How did those areas look at the time of  
6 the accident where the black asphalt --

7 A What I saw was this area is like a soft  
8 patch material and the day of the accident, this was  
9 an area that was just probably a good four- to  
10 five-inch drop off into crumbled pavement.

11 Q And you can see that the asphalt takes  
12 up pretty much the whole shoulder. Did the  
13 depression do so, as well, to your recollection?

14 A Yes, right out to the white line. All  
15 this area that was patched was sunken in, like I  
16 say, crumbled pavement.

17 Q Okay. Based on your observation of that  
18 area, could a person ride a bicycle through the  
19 depression?

20 MR. BELSKY: Objection.

21 Q You can answer.

1                   MR. BELSKY: You can answer. I just  
2 have to do that.

3                   A        Okay. Do I answer?

4                   Q        Yes, you can answer that.

5                   MR. BELSKY: Yes.

6                   A        No, no. Not easily. Not with thin  
7 tires.

8                   Q        You observed the bicycle rider laying on  
9 the ground?

10                  A        Yes.

11                  Q        Can you tell me what type of clothing he  
12 was wearing, what color?

13                  A        He had dark clothing on, it looked like  
14 it was black or a very dark green. Very dark  
15 material. He had bicycle riding type pants on.  
16 They were, like, a winter type pants and he had a  
17 jacket. Same type I wear when I bicycle ride.

18                  Q        But they were dark in color?

19                  A        They were dark in color, yes.

20                  Q        What was the condition of daylight at  
21 the time of the incident?

1 A It was still dark. It was just starting  
2 to lighten up. It was still relatively dark.

3 Q Okay.

4 A The sun had not risen yet.

5 Q Okay.

6 A I know I had to drive with headlights  
7 on.

8 Q Let me show you what's been marked as  
9 Deposition Exhibit Numbers 4 and Number 5 and  
10 Number 6.

11 What roadway is shown in those  
12 photographs?

13 A They're Route 27.

14 Q What direction are we looking now?

15 A Let's see, this is -- this is going --  
16 this would be -- I'm trying to focus. This would be  
17 southbound, going this direction.

18 Q So, looking into the --

19 A We're looking northbound.

20 Q Looking north, okay. And again, you see  
21 the black area patched on the shoulder. Is that the

1 area where the accident occurred?

2 A Yes.

3 Q Did you have any conversation whatsoever  
4 with the bicycle rider?

5 A No, I did not.

6 Q Were you able to make observations as to  
7 whether he was conscious or not conscious after the  
8 accident?

9 A He was conscious, he was talking. He  
10 was kind of laying in almost like a fetal type  
11 position. There were so many people around him,  
12 there just wasn't room to even get close, so, I  
13 didn't try to.

14 Q Okay.

15 A He did say he was really uncomfortable  
16 and could somebody help him sit up and three or four  
17 people grabbed his shoulders and lifted him up into  
18 a sitting position to try to make him comfortable.

19 Q Okay. You weren't one of the people  
20 that did that?

21 A No, I was not. And if I had been the

1 only one there, I would not have done that.

2 Q I understand. Did you have an  
3 opportunity to observe the person who was driving  
4 the white truck?

5 A Yes, I did.

6 Q Okay. Was he outside of his truck when  
7 you saw him?

8 A He was outside of his truck after I made  
9 the cell phone call. As a matter of fact, we passed  
10 each other when I went up to get the house number.

11 He was in a white T-shirt, white shirt  
12 type of thing, I can't remember whether there was  
13 lettering on it or not. And it was chilly that  
14 morning and I know he was just shaking, because it  
15 was cold, and he seemed to be really confused.

16 Q Confused as in shock or --

17 A It seemed like he was in shock because  
18 he just kept, kind of, babbling and saying, you  
19 know, I hit the guy. I don't know what happened. I  
20 must have run off the road and hit him. All kinds  
21 of things. And things contrary to whatever I

1 thought you should do if you were in an accident,  
2 which is admit any kind of guilt. I really felt bad  
3 for the guy because he really did look very, very  
4 confused.

5 Q Well, you observed his truck prior to  
6 the accident, correct?

7 A Yes, I did.

8 Q Did he go off the road?

9 A No, he did not. I never saw him go out  
10 of his lane or vary at all. Just straight as an  
11 arrow.

12 Q A police officer came to the scene of  
13 the accident?

14 A There was an off-duty police officer, a  
15 female officer, that was a few vehicles somewhere  
16 behind me. I'm not sure, four or five vehicles  
17 down. And that was the first police officer I  
18 talked to.

19 And she asked me if I was -- which  
20 vehicle I was driving and I pointed to the one that  
21 was parked right behind the cube van. She also

1 talked to another person who was right behind me and  
2 a uniformed officer showed up little bit later,  
3 probably another 10 to 15 minutes after that. And  
4 that's the person that took my statement at the  
5 scene.

6 Q That's what I was going to ask you. You  
7 did identify yourself to the police officer?

8 A Yes, I did.

9 Q As a witness to the accident?

10 A Yes.

11 Q And told them what you had seen?

12 A Yes.

13 Q Just one more question. Prior to -- I  
14 know at some point you saw the bicycle and the rider  
15 going to the right?

16 A Yes.

17 Q At any point prior to that time did you  
18 see the bicycle rider?

19 A No. No, I did not.

20 MR. MANN: Those are all the questions I  
21 have. Thank you, Mr. Curtis. Mr. Belsky may have

1 some.

2 MR. BELSKY: I have a few.

3 EXAMINATION BY MR. BELSKY:

4 Q As I understand, you have given  
5 statements to various investigators in this case; is  
6 that correct?

7 A Yes. There was another person who  
8 called me more than a year ago and asked me some  
9 questions.

10 Q And then somebody came recently and  
11 asked you some questions?

12 A And then someone else had called me that  
13 was a reconstruction type person is the way they  
14 described themselves and asked about the road and  
15 what I had seen.

16 Q Now, to begin with, and I'll probably be  
17 rehashing a lot of things that have already been  
18 asked and I apologize, but I just want to get my own  
19 head straight.

20 A Okay.

21 Q It was dark out at that time, is that

1 correct?

2 A Yes.

3 Q Was there any distractions on the road  
4 that you could see?

5 A Nothing that I could see.

6 Q The driver indicated that he was  
7 distracted, took his eyes off the road for a moment,  
8 and the next thing he knows the bicycle was in front  
9 of him, or, he hit the bicycle.

10 Was there anything that you could see  
11 that would have distracted him?

12 MR. MANN: I'm going to object to the  
13 form of the question. You can answer.

14 A Nothing that I could see.

15 Q Did you beep your horn, by chance?

16 A No.

17 Q Did you speak to the driver of the  
18 vehicle?

19 A The only thing I mentioned was that he  
20 looked like he was cold. I just said, how are you  
21 doing? Because he looked very shaken.

1 Q Okay.

2 A Just trying to calm down. The police  
3 officer was there right away talking to him and that  
4 was all I did, was just made an initial exchange  
5 because the guy really looked like he was really,  
6 really shaken.

7 Q You indicated he said he must have gone  
8 off the side of the road. Is that what he said?

9 A Yeah.

10 Q Who did he say that to?

11 A He was just kind of talking and I was  
12 there and there was a couple other people around.

13 Q And did you look at the bicycle at all?

14 A No, I didn't go over and look at it. It  
15 was off to the side of the road, but I didn't go  
16 over and take a real close look at it.

17 Q Had you ever seen this bicycle rider  
18 before?

19 A Yes, just about everyday for a number of  
20 years riding down this road.

21 Q So, he drives his bike?

1 A Everyday.

2 Q Does he usually have reflectors on?

3 A Yeah, he has a flashing red light that  
4 was on the back down there in the saddle bag.

5 Q Does he have reflectors on himself and  
6 on other parts of the bike?

7 A I didn't recall any other reflectors.

8 Q In your past experience, have you ever  
9 had a problem seeing him?

10 A No.

11 Q I understand you drive your own bike in  
12 that area; is that correct?

13 A Yes.

14 Q How often do you drive your bike in that  
15 area?

16 A Well, I've ridden -- I was a very  
17 serious bike rider for a number of years, I went on  
18 those cycle across Maryland trips. I've been on a  
19 lot of highways besides 27.

20 Q I'm talking about 27.

21 A Down there, I've probably been down

1 there maybe a dozen times over, you know, a couple  
2 years' time in that particular area.

3 Q When was the last time you were on 27  
4 before this accident?

5 A During the summertime. Summer before  
6 that.

7 Q So, this accident happened on  
8 November 16th.

9 MR. MANN: January 16th.

10 Q I'm sorry, January 16th. And it had  
11 been at least five or six months --

12 A Probably around the August, September  
13 timeframe.

14 Q You indicated this was a broken up soft  
15 patch in this area. Was that your recollection from  
16 six months ago or was there some other moment where  
17 you looked at it in between the last time that you  
18 rode your bicycle?

19 A Everyday when I drove by I could see it  
20 was broken up. As a matter of fact, there were two  
21 spots that were crumbled. There was one another

1 hundred yards before that on the right-hand side of  
2 the road.

3 Q Did you ever drive your bike over those  
4 spots?

5 A With the broken pavement?

6 Q Yes.

7 A No.

8 Q Did you ever drive when there was broken  
9 pavement there?

10 A I wouldn't drive over broken pavement  
11 because you can't keep a bicycle upright driving on  
12 broken pavement.

13 Q Did you ever go passed that area on your  
14 bicycle?

15 A Yes, I've been down 27 on my bicycle.

16 Q What would you do when you get to those  
17 patches?

18 A Drive around them.

19 Q Which side would you drive on?

20 A The only side that you can take a  
21 bicycle on, which, my estimation is, would be on the

1 left-hand side. Because the right-hand side was  
2 dirt.

3 Q Did you inspect the vehicle at all after  
4 the accident?

5 A No, I did not.

6 Q Did you see any damage to the vehicle at  
7 all?

8 A No, I did notice any at all.

9 Q When you say it stayed in its lane, I  
10 mean, cars don't always stay in the exact middle of  
11 the lane. Did you ever notice it may have gone a  
12 little to the right, a little to the left and still  
13 stay in its lane?

14 A No, I didn't notice --

15 Q Would you have noticed that?

16 MR. MANN: Wait a minute. Could he  
17 finish that answer?

18 MR. BELSKY: I apologize.

19 MR. MANN: Would you say that answer  
20 again? I don't think she got it.

21 THE WITNESS: I didn't notice him

1 wandering or moving at all. He was well within the  
2 line. What I mean is, I didn't see him drifting  
3 back and forth within the lines.

4 Q       Would you have noticed if he got within,  
5 say, two or three inches of the line?

6 A       Since I was directly behind him, I think  
7 I would have noticed if he had moved one way or the  
8 other, yes.

9 Q       If I told you at his deposition he said  
10 the only damage to his vehicle was to the mirror  
11 which hangs approximately six inches off his car,  
12 can you explain why that would be the only damage to  
13 the vehicle?

14           MR. MANN: Objection.

15 Q       If you know.

16           MR. MANN: You can answer that, if you  
17 can.

18 A       I have no idea.

19 Q       At what distance, assuming -- well, how  
20 many vehicles were in front of the truck that  
21 ultimately hit him?

1           A       The only time I saw vehicles in front of  
2 the truck was when we were coming down the hill and  
3 there is always -- when you drive 27 in the morning  
4 there is always taillights as far as you can see.  
5 It's always pretty much one car behind another and  
6 do pretty much the speed limit out there. Usually  
7 little more, usually 45 to 50 miles an hour.

8           Q       Did you ever see the truck take any  
9 evasive action to avoid hitting that bicycle?

10          A       The first thing I noticed is when I  
11 noticed the object on the right and the brake lights  
12 were going on he and was pulling over to the right  
13 and stopped. He pulled off the road. That's the  
14 first time I notice him move.

15          Q       So, my understanding is you never saw  
16 where the bike was at the time of the impact?

17          A       No, I did not. No.

18          Q       And you indicated that he was wearing  
19 dark clothes, but with his reflective gear, would  
20 that be adequate to see somebody?

21                   MR. MANN: Objection. You can answer.

1 A If he had reflective gear, you say?

2 Q You have seen him every morning.

3 A I see him in the morning, yeah, and what

4 I always noticed was he had a little flashing light  
5 on his saddle bag on the back of his bike. I didn't  
6 really notice any on the clothing.

7 Q Had you ever had any problem seeing him?

8 A No. No, I never have.

9 Q At approximately what distance would you  
10 see him 6:30 in the morning?

11 A If you weren't right behind someone, you  
12 could probably see him from, I would say, 50 to 100  
13 feet, easily.

14 Q In your prior experience with this  
15 particular bike driver, did he ever -- did you ever  
16 notice that he did anything in a dangerous fashion?

17 MR. MANN: Objection. You can answer.

18 A I always saw him riding on the  
19 right-hand side of the road off on the shoulder.

20 Q How far behind the truck were you when  
21 you saw him put his brake lights on?

1 A Two to three car lengths.

2 MR. BELSKY: That's all I have. Thank  
3 you.

4 MR. MANN: Just one more thing.

5 EXAMINATION BY MR. MANN:

6 Q At the time during the rush hour, was  
7 there rush hour traffic coming north on Route 27,  
8 also?

9 A Very little.

10 MR. MANN: No other questions. Thank  
11 you, Mr. Curtis.

12 MR. BELSKY: Thank you, again.

13 MR. MANN: Now, as a witness who has  
14 been deposed, this lady is going to take down all  
15 the questions and the answers, and as a witness, you  
16 have a right under the rules to read and sign it,  
17 the transcript, after you review it. Not to change  
18 anything you have said, but it's more or less if she  
19 misheard something or something like that.

20 Witnesses can, and often do, waive that  
21 right because there is some inconvenience and you

1 still would get a chance to read the transcript, but  
2 the question is whether you want to insist on the  
3 right to read it.

4 These court reporters are very accurate,  
5 but if you want to read it and sign it, you can do  
6 so or you can waive that and you will still get a  
7 chance to read it.

8 THE WITNESS: Right.

9 MR. MANN: But it's up to you as a  
10 witness.

11 (A discussion was held off the record.)

12 THE WITNESS: Okay, I'll waive.

13 (Deposition was concluded at 3:20p.m.)

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1 State of Maryland

2 City of Baltimore, to wit:

3 I, SUSAN M. LIEBRECHT, a Notary Public  
4 of the State of Maryland, Carroll County, do  
5 hereby certify that the within-named witness  
6 personally appeared before me at the time and  
7 place herein set out, and after having been duly  
8 sworn by me, according to law, was examined by  
9 counsel.

10 I further certify that the examination  
11 was recorded stenographically by me and this  
12 transcript is a true record of the proceedings.

13 I further certify that I am not of  
14 counsel to any of the parties, nor in any way  
15 interested in the outcome of this action.

16 As witness my hand and notarial seal  
17 this 16th day of January, 2003.

18

SUSAN M. LIEBRECHT  
Notary Public

19  
20 My Commission Expires:

21 September 1, 2005

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